

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:

Adonis Latham

Debtor.

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: **Case No.: 19-29848**
: **Chapter 13**
: **Judge Deborah L. Thorne**
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NOTICE OF MOTION

Notified via Electronic Filing

Patrick S Layng
Office of the U.S. Trustee, Region 11
219 S Dearborn St, room 873
Chicago, IL 60604

Marilyn O Marshall
224 South Michigan Ste 800
Chicago, IL 60604
courtdocs@chi13.com

David M Siegel
Attorney for Adonis Latham
David M. Siegel & Associates
790 Chaddick Drive
Wheeling, IL 60090
david siegelbk@gmail.com

Notified via US Postal Service

Adonis Latham
3101 W. Washington Blvd.
Apt. 6
Chicago, IL 60612

Please take notice that on January 29, 2020, at 9:30 a.m., or as soon thereafter as I may be heard, I shall appear before the Honorable Judge Deborah L. Thorne, 219 South Dearborn, Courtroom 613, Chicago, IL, 60604 or before any other Bankruptcy Judge who may be presiding in his/her place and stead and shall then and there present the accompanying motion. At that time and place you may attend if you so choose.

AFFIDAVIT OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached motion upon the parties listed above, by causing same to be mailed in a properly addressed envelope, postage prepaid, on 17th day of January, 2020, unless a copy was provided electronically by the Clerk of the Court.

Date January 17, 2020

/s/ Todd J. Ruchman
Signature

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Motion was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Marilyn O Marshall, 224 South Michigan Ste 800, Chicago, IL 60604, courtdocs@chi13.com

David M Siegel, Attorney for Adonis Latham, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090, davidsiegelbk@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on January 17, 2020:

Adonis Latham, 3101 W. Washington Blvd., Apt. 6, Chicago, IL 60612

**UNITED STATES BANKRUPTCY COURT
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MOTION FOR RELIEF FROM THE AUTOMATIC STAY

NOW COMES, JPMorgan Chase Bank, N.A., a secured creditor herein, by and through its attorneys, Manley Deas Kochalski LLC and hereby moves the Court, pursuant to 11 U.S.C. § 362(d) for an Order granting relief from the automatic stay from the estate the following property, a 2014 Jeep Wrangler Unlimited bearing a Vehicle Identification Number ("VIN") of 1C4HJWEG4EL157223 and in support thereof respectfully states as follows::

1. Adonis Latham (hereinafter "Debtor") filed a Voluntary Petition for Relief under Chapter 13 on October 21, 2019, (hereinafter the "Petition Date").
2. As of the Petition Date, the Movant is a secured creditor of the Debtor with respect to a certain indebtedness secured by a lien upon a 2014 Jeep Wrangler Unlimited bearing a Vehicle Identification Number ("VIN") of 1C4HJWEG4EL157223 (the "Vehicle"). A copy of Promissory Note and Security Agreement (the "Contract") is attached as Exhibit A.
3. The Contract provided Movant a security interest in the Vehicle, which Movant properly perfected via notation on the Certificate of Title of a Vehicle, a copy of which is attached as Exhibit B.

4. As of January 8, 2020, the current total outstanding balance due to JPMorgan Chase Bank, N.A. from the Debtor for the Vehicle is \$11,245.25.

5. Movant is entitled to relief from the automatic stay under 11 U.S.C. 362(d) for the following reasons:

- a. Under the terms of Debtor's confirmed Chapter 13 Plan, Movant is to be paid directly by Debtor per the terms of the Contract.
- b. The Debtor is in default in performance of the terms of the confirmed Chapter 13 Plan and is in default contractually in the amount of \$1,205.14, or approximately 2 payments from November 17, 2019 through December 17, 2019 as of January 8, 2020.

6. Movant requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this Motion.

WHEREFORE, the Creditor prays for the entry of the attached Order Granting Relief from the Automatic Stay pursuant to 11 U.S.C. 362(d) and for such other relief the Court deems just.

Respectfully submitted,

/s/ Todd J. Ruchman

Todd J. Ruchman (6271827)

Keith Levy (6279243)

Sarah E. Barngrover (28840-64)

Adam B. Hall (0088234)

Edward H. Cahill (0088985)

Umair M. Malik (6304888)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus OH 43216-5028

614-220-5611; Fax: 614-627-8181

Attorneys for Creditor

The case attorney for this file is Todd J. Ruchman.

Contact email is

tjruchman@manleydeas.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion for Relief from the Automatic Stay was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Marilyn O Marshall, 224 South Michigan Ste 800, Chicago, IL 60604, courtdocs@chi13.com

David M Siegel, Attorney for Adonis Latham, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090, davidsiegelbk@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on January 17, 2020:

Adonis Latham, 3101 W. Washington Blvd., Apt. 6, Chicago, IL 60612

/s/Todd J. Ruchman
